IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE CIVIL JURISDICTION

CIVIL APPLICATION NO. 5459 OF 2005

-: ALONG WITH :-

CIVIL APPLICATION NO. 3580 OF 2002

IN

FIRST APPEAL NO. 877 OF 2000

Shantabai Shankar Shinde.... ..... Applicant.

Versus

Surekha Bharat Shinde & Ors..... Respondents.

Mr. S. D. Thokade for the Applicant.

Mr. P.G.Chavan with Mr. S.S.Patwardhan for the Respondents.

CORAM : ANOOP V. MOHTA, J.

DATED : 20TH DECEMBER, 2005.

P.C.:

In view of the averments made in paragraph 2 of this civil application by the original respondent No.1 that after the death of Surekha Bharat Shinde (Surekha Balu Vonkade), the sole appellant, no application or steps have been taken to bring the legal representatives on the record. Therefore, a case is

made out for abatement of the First Appeal.

2. The Civil Application No. 5459 of 2005 is accordingly, allowed. First appeal No. 877 of 2002 stands dismissed as abated. However, liberty is granted to the parties to take steps. Interim relief also stands vacated. This civil application and the first appeal stand disposed of, accordingly.

3. In view of the above, the civil application No.3580 of 2002 also stands dismissed, and is disposed of accordingly.

Sd/-

(ANOOP V. MOHTA,J.)